



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Steve G. Baker, Brett J. Carter, Stefan J. M. Kraemer,

Clifton A. Alferness, John M. Adams.

Title:

TISSUE FIXATION DEVICES AND A TRANSORAL ENDOSCOPIC GASTROESOPHAGEAL FLAP VALVE RESTORATION DEVICE AND ASSEMBLY USING SAME

Serial No.:

10/783,717

Filing Date:

February 20, 2004

Examiner/Unit:

Natalie R. Pous / 3731

Attorney Docket No.:

2234-3-3

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited in the United States Postal Service as First Class Mail in an envelope addressed to: MS AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 20th day of December, 2006.

Signature

RULE 56 INFORMATION DISCLOSURE AND ACCOMPANYING SECTION 1.97(e) CERTIFICATION

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

In compliance with 37 CFR § 1.56 and § 1.97, Applicants acting by and through the attorney of record, hereby discloses patents and other documents listed on the attached Form PTO-1449 which may be considered relevant to the examination of the subject application.

Copies of the cited non-U.S. reference is enclosed.

Certification Under Section 1.97(e)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this statement.

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP

Richard O. Gray, Jr. Attorney for Applicant

Registration No. 26,550

155 - 108th Avenue NE, Ste. 350

Bellevue, WA 98004-5973

Buhand O. Braz.]

(425) 455-5575

PTO/SB/08a (05/-03)

Approved for use through 04/30/2003. OMB 00031-00031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number 2 6 2006 Substitute for form 1449A/PTO Complete if Known 10/783,717 Application Number INFORMATION DISCLOSURE Filing Date February 20, 2004 STATEMENT BY APPLICANT First Named Inventor Steve G. Baker Art Unit 3731 (use as many sheets as necessary) **Examiner Name** Natalie R. Pous of 2 2234-3-3 Sheet

Attorney Docket Number

		Document Number	D. h	Name of Patentee or Applicant of	Second Se
Examiner Initials *	Cite No. ¹	Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Cited Document	Pages, Columns, Lines, Where Relevan Passages or Relevant Figures Appear
		US-5,626,614 A	05/06/97	Hart	
		US- 6,419,669 B1	07/16/02	Frazier, et al.	
		US- 7,083,630 B2	08/01/06	Devries et al.	
		US- 2005/0004575	01/06/05	Sgro et al.	
		US- 6,491,707 B2	12/10/02	Makower et al.	
		US- 2003/0216613	11/20/03	Suzuki et al.	
		US- 6,315,789	11/13/01	Cragg	
		US- 6,699,263 B2	03/02/04	Cope	
		US-			
		US-	-		
		US-			
-		US-			
		US-	-		
		US-			

		FOREIGN PA	TENT DOCU	MENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited	Pages, Columns, Lines, Where Relevant Passages or Relevant	
miliais	110.	Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	MM-DD-YYYY	Document	Figures Appear	T ⁶

Examiner Signature	Date Considered	
-----------------------	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant, 1 Applicant's unique citation designation number (optional), 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Sub	ostitute for form 14	49A/PTO			Complete if Known
		ION DIC	CLOCUDE	Application Number	10/783,717
	-		CLOSURE	Filing Date	February 20, 2004
S	STATEMENT BY APPLICANT		First Named Inventor	Steve G. Baker	
				Group Art Unit	3731
	(use as m	any sheets as	necessary)	Examiner Name	Natalie R. Pous
Sh	eet 2	of	2	Attorney Docket Number	2234-3-3

	OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²			
		International Search Report for PCT/US05/04619 dated September 26, 2006				
<u> </u>			I			

Examiner	Data	1	
Cxammer	Date		
Signature	Considered		
Olginature	Considered	- 1	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.